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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/525,319      | 02/23/2005  | Yoshitaka Asano      | 1217-050589         | 5350             |

7590 12/08/2006

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436 Seventh Avenue  
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Pittsburgh, PA 15219-1818

EXAMINER

HA, NGUYEN T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2831

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/525,319

Applicant(s)

ASANO ET AL.

Examiner

Nguyen T. Ha

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 and 10-12 is/are allowed.
- 6) ☒ Claim(s) 5-9, and 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 5-9, and 13-18 have been considered but are moot in view of the new ground(s) of rejection.
2. With respect to claims 1-4, and 10-12, the applicants argument that Morimoto et al. is failed to disclose a functional sheet having a reinforcing material comprising a reinforcing sheet, wherein the reinforcing sheet comprises a woven or non-woven fabric cloth, having a basis weight of from 10 to 400 g/cm<sup>2</sup>, the fiber diameter of a fiber constituting the reinforcing sheet is from 10 to 150 µm. The examiner finds this argument persuasive. Therefore, the examiner made decision to allow this limitation over the prior art of record.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 5-9, and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto et al. (US 4,862,328).

Regarding claims 5, 9 and 16-18, Morimoto et al. disclose an electrode for electric double layer capacitor (figure 1) comprising a sheet-like electrode material comprising a carbon fine powder and a fluorine containing polymer resin (column 9,

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lines 5-23) and, laminated thereon (figure 1), a reinforcing sheet (1), which are bonded (figure 1).

Regarding claim 6, Morimoto et al. disclose the reinforcing sheet comprises any one of a cloth, a mesh, a non-woven fabric cloth and an expand sheet, and has a thickness of from 0.01 to 1.0 mm (column 10, lines 15-17, which is within the claimed range).

Regarding claims 7 & 13, Morimoto et al. disclose the carbon fine powder comprises activate carbon and/or conductive carbon, and the fluoropolymer resin is polytetrafluoroethylene (column 10, lines 5-7).

Regarding claims 8, 14 and 15, Morimoto et al. disclose the fluorine resin is contained in an amount of not more than 15 % by weight in the electrode material (column 9, lines 16-21).

#### ***Allowable Subject Matter***

5. Claims 1-4, and 10-12 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1-4, and 10-12, the prior art alone or in combination does not teach the limitation of a functional sheet having a reinforcing material comprising a reinforcing sheet, wherein the reinforcing sheet comprises a woven or non-woven fabric cloth, having a basis weight of from 10 to 400 g/cm<sup>2</sup>, the fiber diameter of a fiber constituting the reinforcing sheet is from 10 to 150  $\mu$ m.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Ha whose telephone number is 571-272-1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NGUYEN T. HA  
PRIMARY EXAMINER

NH

December 6, 2006